

REMARKS

This Amendment, submitted in response to the Office Action dated April 6, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

As a preliminary matter, Applicant respectfully requests that the drawings filed November 19, 1999 be approved.

Claims 1-21 are pending in the present application. Claims 1, 8 and 15 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1-21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Chang et al. (USP 6,263,342 B1). Applicant submits the following in traversal of the rejection.

Rejection of claims 1, 8 and 15 under § 112, first paragraph

The Examiner rejects claims 1, 8 and 15 stating that the claimed “the given federated data source providing a unified scheme conceptual view of (c) the data and schema conceptual view from the other federated data sources” is not described in the specification.

Support for “the given federated data source providing a unified scheme conceptual view of (c) the data and schema conceptual view from the other federated data sources” as recited in claims 1, 8 and 15 can be found in for example, Fig. 1 and the corresponding text. As indicated on page 8, lines 11-15 of the originally filed specification, a federated datastore 100 is a virtual datastore which combines several heterogenous datastores 102 into a consistent and unified scheme conceptual view. This view, or federated schema, is established via schema mapping

104 of the underlying datastores. As indicated on page 2, lines 26-27 of the originally filed specification, heterogenous is a term used to indicate that the datastores need not be similar to each other. As illustrated in Fig. 6 and described on page 46, lines 19-20 of the originally filed specification, a federated datastore can be composed of any number of datastores, including other federated datastores. Therefore, there is support for the language “the given federated data source providing a unified scheme conceptual view of (c) the data and schema conceptual view from the other federated data sources” as recited in claims 1, 8 and 15. Consequently, the rejection of claims 1, 8 and 15 under 112, first paragraph should be withdrawn.

Rejection of claims 1-21 under § 102(e) as being anticipated by Chang

Chang (USP 6,263,342) was previously applied by an examiner at the USPTO in an Office Action dated September 7, 2004 in rejecting claims 1-21 under 35 U.S.C. § 102. In response to the Office Action, Applicant filed an Amendment under 37 C.F.R. § 1.111 on December 6, 2001. As a result, the rejection of claims 1-21 over Chang was withdrawn.

Now, an Examiner at the USPTO is again citing Chang for anticipating claims 1-21. However, full faith and credit should be given to the search and action of a previous examiner unless there is a clear error in the previous action or knowledge of other prior art. In general, an examiner should not take an entirely new approach or attempt to reorient the point of view of a previous examiner, or make a new search in the mere hope of finding something. MPEP 706.04. In particular, it was conceded on page 3, third line in the February 1, 2002 Office Action that “Chang fails to show one or more search gateway data sources”. Therefore, Applicant

respectfully requests that the present Examiner withdraw the rejection of claims 1-21 over Chang and give full faith and credit to the actions of the previous examiner.

Moreover, Chang fails to teach or suggest elements of claim 1. Claim 1 recites *inter alia*:

"...from the given federated data source, retrieving data from a plurality of datastores including:

data from one or more terminal data repositories,
data, with a schema conceptual view of the data,
from one or more other federated data sources, and
data, without a scheme conceptual view of the
data, from one or more *search gateway data sources*..."

However, Chang does not teach or suggest at least retrieving data from a search gateway data source. As indicated on page 45, lines 7-17 of the specification for the present invention as originally filed, which describes a search gateway data source, the difference between a search gateway data source and the data sources pointed to in Chang by the Examiner is made clear. Chang's data sources are all regular terminal data repositories or federated data sources, but are not search gateway data sources. For example, a Domino Extended Search (DES), a type of search gateway data source, is a datastore that is defined using a DES datastore class that depends from a base datastore class, from which the classes for the federated datastore and the terminal data repositories depend. The DES datastore has the ability to search several different data sources.

The Examiner alleges that “as seen from the process of translating, filtering and converting controls a Federated Query with a sub query such as SQL, text, image query to search for a DB2, Digital Library, or Visual Info data store, and the process of translating, filtering and merging the result from these data stores performs the function of a search gateway data source. In different words, the result of a FederatedQuery with a sub query such as SQL, text, image query is data without a conceptual view of the data from one or more search gateway data sources.” See Office Action at pg. 6. However, merely because a sub query can be performed does not mean that a search gateway data source is disclosed. In particular, it would be clear to one of skill in the art that a sub query is not a search gateway data source as claimed.

Since Chang does not disclose or suggest a search gateway data source, as *inter alia*, recited by independent claim 1, claim 1 and its dependent claims should be deemed patentable. Since claims 8 and 15 describe similar elements, claims 8 and 15 and their dependent claims should also be deemed patentable.

Applicant has added claims 22-24 to further define the search gateway datasource of claims 1, 8, and 15. Claims 22-24 should be deemed patentable by virtue of their dependency to claims 1, 8 and 15 for the reasons set forth above.

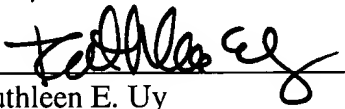
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO.: 09/399,682

ATTORNEY DOCKET NO. A8009

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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